

LESTER JON RUSTON,  
PLAINTIFF,  
VS.  
CHURCH OF JESUS CHRIST  
OF LATTER DAY SAINTS, ETAL  
DEFENDANTS,

FILED  
U.S. DISTRICT COURT  
CIVIL ACTION NO. 2:06-CV-526-DB  
2006 DEC -1 P 9:44  
DISTRICT OF UTAH  
BY: \_\_\_\_\_  
DEPUTY CLERK

MOTION FOR LEAVE TO FILE AMENDED COMPLAINT

COMES NOW, PLAINTIFF, LESTER JON RUSTON, AND FILES THIS, HIS MOTION FOR LEAVE TO FILE AN AMENDED COMPLAINT, PURSUANT TO RULE 15, FED. R. CIV. P., AND WOULD SHOW AS FOLLOWS:

I.

THE SUPREME COURT HAS HELD THAT A PLAINTIFF SHOULD BE ALLOWED LEAVE TO FILE AN AMENDED COMPLAINT IF A COMPLAINT LACKED DETAILS WHICH SPECIFIED THE FACTUAL BASIS NECESSARY TO ENABLE DEFENDANTS TO INTELLIGENTLY PREPARE A PROPER DEFENSE TO THESE CLAIMS, CITING FOMAN V. OAVIS, 371 U.S. 178, 182 (1962).

II.

DEFENDANTS HAVE FILED TO DISMISS, WHICH PLAINTIFF HAS OPPOSED, FOR THIS REASON.

III.

PARTIES ARE AMENDED AS FOLLOWS:

- A. GORDON B. HINCKLEY, LEADER OF ALLEGED R.I.C.O. RACKETEERING ENTERPRISE, WHO HAS CONSPIRED TO VIOLATE PLAINTIFF'S 1ST AMENDMENT RIGHT TO FREEDOM OF RELIGION, HE MAY BE SEIZED WITH PROCESS AT 50 EAST NORTH TEMPLE, SALT LAKE CITY, UTAH 85150. HE IS SUED IN HIS "OFFICIAL" CAPACITY.

- B. VICTOR JAMES RUSTON, "AGENT", CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS - HIGH PRIEST, WHO MAY BE SERVED WITH PROCESS AT 50 EAST NORTH TEMPLE, SALT LAKE CITY, UTAH 85150. HE IS SUED IN HIS "OFFICIAL CAPACITY". JOINED IN R.I.C.O. RACKETEERING ENTERPRISE.
- C. MARGARET ELIZABETH RUSTON, "AGENT", CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS - RELIEF SOCIETY, WHO MAY BE SERVED WITH PROCESS AT 50 EAST NORTH TEMPLE, SALT LAKE CITY, UTAH 85150. SHE IS SUED IN HER "OFFICIAL CAPACITY". JOINED IN R.I.C.O. RACKETEERING ENTERPRISE.
- D. JERRY HENDERSON, "AGENT", CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS - ELDER, WHO MAY BE SERVED WITH PROCESS AT 50 EAST NORTH TEMPLE, SALT LAKE CITY, UTAH 85150. HE IS SUED IN HIS "OFFICIAL CAPACITY". JOINED IN R.I.C.O. RACKETEERING ENTERPRISE.
- E. ALLISON RUSTON-SMITH, "AGENT- SPOKESPERSON", CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS, MEMBER, WHO MAY BE SERVED WITH PROCESS AT 50 EAST NORTH TEMPLE, SALT LAKE CITY, UTAH 85150. SHE IS SUED IN HER "OFFICIAL CAPACITY". JOINED IN AND OPERATED R.I.C.O. RACKETEERING ENTERPRISE "TRANS-TECH, SERVICES".
- F. MEL CHADWICK, "AGENT", CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS, BISHOP AND PATRIARCH, WHO MAY BE SERVED WITH PROCESS AT 50 EAST NORTH TEMPLE, SALT LAKE CITY, UTAH 85150. HE IS SUED IN HIS "OFFICIAL CAPACITY". JOINED IN R.I.C.O. RACKETEERING ENTERPRISE.
- G. KENT ROBERTSON, "AGENT", CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS - BISHOP, WHO MAY BE SERVED WITH PROCESS AT 50 EAST NORTH TEMPLE, SALT LAKE CITY, UTAH 85150. HE IS SUED IN HIS "OFFICIAL CAPACITY". JOINED IN R.I.C.O. RACKETEERING ENTERPRISE.
- H. IAN JAMES RUSTON, "AGENT", CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS, ELDER, WHO MAY BE SERVED WITH PROCESS AT 50 EAST NORTH TEMPLE, SALT LAKE CITY, UTAH 85150. HE IS SUED IN HIS OFFICIAL CAPACITY. JOINED IN R.I.C.O. RACKETEERING ENTERPRISE.

I. BMD OATES, "AGENT", CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS - BISHOP, WHO MAY BE SERVED WITH PROCESS AT 50 NORTH TEMPLE, SALT LAKE CITY, UTAH 85150. HE IS SERVED IN HIS "OFFICIAL CAPACITY". JOINED IN R.I.C.O. RACKETEERING ENTERPRISE.

J. LARRY K. HERCULES, "AGENT", CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS, ELDER-ATTORNEY, WHO MAY BE SERVED WITH PROCESS AT 50 NORTH TEMPLE, SALT LAKE CITY, UTAH 85150. HE IS SERVED IN HIS "OFFICIAL CAPACITY". JOINED IN MULTIPLE R.I.C.O. RACKETEERING ENTERPRISES.

#### IV.

PLAINTIFF AGREES TO ADD "FACT" THAT GORDON B. NINCKLEY HAS ORDERED THAT ALL DEFENDANTS ENGAGE IN R.I.C.O. RACKETEERING CRIMES, TO DAMAGE PLAINTIFF AND PENGUIN ENTERPRISES UNLIMITED, HIS SMALL BUSINESS. HE FURTHER CONSPIRED TO VIOLATE PLAINTIFF'S 1ST AMENDMENT RIGHT TO FREEDOM OF RELIGION AND REFUSES TO REMOVE PLAINTIFF'S NAME FROM "CHURCH" RECORDS, IN CRIMINAL VIOLATION OF 18 U.S.C. 241, 242 AND 247.

#### V.

ALL LISTED DEFENDANTS HAVE CONSPIRED TO ENGAGE IN R.I.C.O. RACKETEERING CRIMES, UNDER 18 U.S.C. SECTION 1961-1964, MOST NOTABLY, THEFT, BRIBERY, NARCOTICS SALES, INCOME TAX EVASION, WITNESS TAMPERING, JURY TAMPERING, MAIL FRAUD AND WIRE FRAUD EFFECTING INTERSTATE AND FOREIGN COMMERCE, THROUGH BANKS AND R.I.C.O. RACKETEERING BUSINESSES AND LAW FIRMS. PLAINTIFF ONLY FILED AN AFFIDAVIT OF FACT IN SUPPORT THEREOF, ON OR ABOUT 8-8-06.

WHEREFORE, PREMISES CONSIDERED, PLAINTIFF LESTER JON RUSTON, DOES FILE THIS, HIS MOTION FOR LEAVE TO FILE AMENDED

COMPLAINT, PURSUANT TO RULE 15, AND DOES MOVE THE COURT TO GRANT THIS MOTION, AND TO ISSUE SERVICE OF COMPLAINT PURSUANT TO 28 U.S.C. SECTION 1915 AND RULE 4 FED. R. CIV. P.

RESPECTFULLY SUBMITTED,

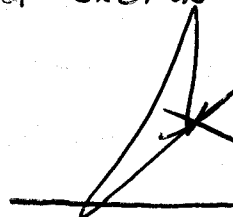
LESTER JON RUSTON #26834-177

P.O. BOX 4000

SPRINGFIELD, MISSOURI 65801

CERTIFICATE OF SERVICE

A TRUE AND CORRECT COPY OF THE FOREGOING INSTRUMENT WAS PROVIDED TO THE CLERK OF THE COURT ON THIS 1ST DAY OF DECEMBER, 2006, BY PLACING SUCH IN THE INMATE MAIL BOX WITH FIRST CLASS POSTAGE AFFIXED. PLAINTIFF CANNOT SERVE ~~THE~~ DEFENDANTS, DUE TO VIOLATION OF CFR 541.22 BY STAFF OF SPRINGFIELD MEDICAL CENTER, THEFT OF PLAINTIFF'S STAMPS BY THE STAFF, AND A CONTINUED CONSPIRACY TO IMPROVE PLAINTIFF'S ACCESS TO THE COURTS, AS HELD IN ALLAN V. SEIVERLING, 229 F.3d 220 (3rd Cir. 2000). PLAINTIFF REQUESTS ASSISTANCE WITH SERVICE, PURSUANT TO 28 U.S.C. SECTION 1915 AND RULE 4 FED. R. CIV. P.



LESTER J. RUSTON